

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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CLIFFORD SWEET,

Plaintiff,

v.

6:08-CV-1227

UNITED STATES OF AMERICA,

Defendant.  
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DAVID N. HURD  
United States District Judge

**ORDER**

Pursuant to the oral decision of the Court, entered into the record after hearing oral argument on April 5, 2010, in Utica, New York, it is hereby

ORDERED that

- (1) Defendant's motion for summary judgment is DENIED;
- (2) Trial is scheduled for August 17, 2010; and
- (3) The parties are referred to Magistrate Judge George H. Lowe for a settlement conference.

  
United States District Judge

Dated: April 5, 2010  
Utica, New York